

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

GREGORY MYRICK,

Case No. 3:24-cv-00108-ART-CSD

Plaintiff,

ORDER

v.

SUWE, et al.,

Defendants.

Plaintiff Gregory Myrick filed this civil-rights action under 42 U.S.C. § 1983. On December 27, 2024, the Court deferred ruling on Myrick’s application to proceed *in forma pauperis* (“IFP”) and found that Myrick stated colorable claims against seven Defendants—Investigator Suwe, Investigator Valez, Lt. Robert Ashcraft, Sgt. Fratis, Sgt. Flurher, Sgt. Wood, and Officer Claudio-Bill. (ECF No. 10.) At that time, the Court stayed this case for 90 days and stated that it would refer the case to the Court’s Inmate Early Mediation (“IEM”) Program. (*Id.* at 13–14.) On March 6, 2025, counsel entered an appearance on Myrick’s behalf. (ECF No. 18.) An IEM conference was then set for May 13, 2025. (ECF Nos. 19.)

The Court’s IEM Program is intended to facilitate meaningful settlement discussions at an early stage of a case. However, the Court generally reserves the limited resources of its IEM Program for cases where inmates are representing themselves. That is because inmates represented by counsel can rely on their attorneys to engage in settlement discussions. Because Myrick is now represented by counsel, the Court lifts the stay, vacates the IEM conference set for May 13, 2025, and sets this case on the normal litigation track. The Court encourages the parties to engage in settlement discussions on their own.

Before this case can proceed, however, Myrick must resolve the filing fee.

1 Myrick's IFP application reflects that he can afford to pay the full \$405 filing fee
2 in advance. (See ECF No. 8 at 9.) In its screening order, the Court allowed Myrick
3 to submit an updated IFP application to reflect any changes in his financial
4 situation (ECF No. 10 at 1 n.1), but he did not do so. The Court therefore denies
5 Myrick's IFP application, and he must pay the full filing fee within 30 days from
6 the date of this order. If Myrick does not pay the fee by that deadline, this case
7 will be dismissed. If Myrick does pay the fee, the Court will enter an order
8 regarding Myrick's obligation to perfect service of process on the seven
9 Defendants.

10 It is therefore ordered that this case is no longer stayed.

11 It is further ordered that the IEM conference set for May 13, 2025, is
12 vacated.

13 It is further ordered that this case is set on the normal litigation track.

14 It is further ordered that Myrick's IFP application (ECF Nos. 6, 8) is denied.

15 It is further ordered that Myrick has 30 days from the date of this order to
16 pay the \$405 filing fee in one lump sum.

17 It is further ordered that, if Myrick does not pay the filing fee by that
18 deadline, this case will be dismissed.

19 It is further order that, if Myrick does pay the filing fee, the Court will enter
20 an order regarding Myrick's obligation to perfect service of process on the seven
21 Defendants.

22 DATED: March 17, 2025.

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26 ANNE R. TRAUM
27 UNITED STATES DISTRICT JUDGE
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